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OFFICE OF PETITIONS

PATENT

GNE.3230R1C25

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Goddard, et al.  
Appl. No. : 10/063,537  
Filed : May 2, 2002  
For : ANTIBODIES TO A POLYPEPTIDE  
ENCODED BY A NUCLEIC ACID  
UNDER-EXPRESSED IN STOMACH  
AND LUNG TUMOR  
Examiner : J. Seharaseyon  
Group Art Unit : 1647

## CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all marked attachments, are being transmitted via facsimile to the USPTO Office of Petitions Fax No. (571) 273-0025 on the date shown below:

September 28, 2006

(Date)

Total number of pages including this sheet:

*AnneMarie Kaiser*  
AnneMarie Kaiser, Reg. No. 37,649

**PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. § 1.313(c)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Arlington, Virginia 22313-1450

Dear Sir:

Applicants hereby petition the Office to withdraw the above-identified patent application from issuance. This petition is being submitted together with a Request for Continued Examination in compliance with 37 C.F.R. § 1.114 and the fee set forth in §1.17(h).

Withdrawal of the application is necessary to allow Applicants to file a corrected claim to priority. Applicants were not aware of the error in the existing priority claim prior to payment of the issue fee, but have made every effort after discovery of the error to correct it in a timely fashion.

Applicants believe they have provided good and sufficient reason why withdrawal of the application from issuance is necessary, and respectfully request that this petition be granted, together with the Request for Continued Examination filed herewith.

10/02/2006 CKHLOK 00000011 111410 10063537

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Filed : May 2, 2002

.The Commissioner is hereby authorized to charge the necessary fees, including any fees for additional extension of time or any additional fees, which may be required, now or in the future, or credit any overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated:

Sept. 28, 2006

By:

  
AnneMarie Kaiser

Registration No. 37,649

Attorney of Record

Customer No. 30,313

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